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**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

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Mailed: April 15, 2003

Cancellation No. 24,108

Galleon S.A., Bacardi-
Martini U.S.A., Inc., and
Bacardi & Company Limited

v.

Havana Club Holding,
S.A., dba HCH, S.A., and
Empresa Cubana Exportador
De Alimentos y Productos
Varios, S.A., dba
Cubaexport, joined as a
defendant

Albert Zervas, Interlocutory Attorney

On February 12, 2003, the Board suspended proceedings pending a decision by the Office of Foreign Assets Control ("OFAC") on Fish & Neave's application for a specific license to represent Empresa Cubana Exportador De Alimentos y Productos Varios, S.A. ("Cubaexport") in this case. The Board advised that if OFAC grants a specific license to Fish & Neave, and if appropriate, the Board would reset the time for Cubaexport and respondent Havana Club Holding, S.A. ("HCH") to respond to petitioners' pending summary judgment motion (filed March 15, 2002).

On March 19, 2003, Fish & Neave informed the Board of OFAC's grant of a specific license to represent Cubaexport in this proceeding, enclosing a copy of the specific license.¹ Thus, Fish & Neave is recognized as Cubaexport's attorney of record in this proceeding.

Also, on February 19, 2003, HCH filed a motion for reconsideration of the Board's order mailed on January 21, 2003, and on March 8, 2003, the Board ordered the parties not to file any further papers regarding HCH's motion for reconsideration. The Board added that if necessary and appropriate when proceedings are resumed, the parties would be allowed time to submit papers regarding HCH's motion for reconsideration.

Proceedings now are resumed for the limited purpose of considering petitioners' summary judgment motion and HCH's motion for reconsideration of the Board's January 21, 2003 order. The time periods for filing further papers in connection with these motions are reset as shown below.

Petitioners' Motion for Summary Judgment

HCH and Cubaexport are each allowed **forty-five days** from the mailing date of this order to file and serve a

¹ Fish & Neave also enclosed a designation of domestic representative, which designates Fish & Neave as Cubaexport's domestic representative for the registration involved in this proceeding. United States Patent and Trademark Office records have been amended to reflect Fish & Neave as the domestic representative for the involved registration. See Section 1(e) of the Trademark Act.

Cancellation No. 24,108

response to the petitioners' summary judgment motion. See Trademark Rule 2.127(e)(1). If a response is served, petitioners are allowed **fifteen days** from the date of service of the response(s) (twenty days if service is by first class mail, "Express Mail," or overnight courier) to file and serve a reply to each response. See Trademark Rule. 2.119(c).

HCH's Motion for Reconsideration

Cubaexport and petitioners are each allowed **forty-five days** from the mailing date of this order to file and serve a response to HCH's motion for reconsideration of the Board's order dated January 21, 2003. See Trademark Rule 2.127(a). If a response is served, HCH is allowed **fifteen days** from the date of service of the response(s) (twenty days if service is by first class mail, "Express Mail," or overnight courier) to file and serve a reply to each response. See Trademark Rule. 2.119(c).

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